

In Re Application of: SHAI et al

Application No.: 09/367,714

Filed: January 14, 2000

For: ANTIPATHOGENIC SYNTHETIC PEPTIDES AND COMPOSITIONS COMPRISING THEM

Art Unit: 1653

Examiner: D. Lukton

Washington, D.C.

Atty.'s Docket: SHAI=2

Date: October 3, 2001

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [XX] Amendment []
in the above-identified application.

[] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

[] No additional fee is required.

[XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 29	MINUS	** 26	3
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$ 27.00
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
\$ 27.00	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
\$	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00

[XX] Second - \$ 200.00

[] Third - \$ 460.00

[] Fourth - \$ 720.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00

[] Second - \$ 400.00

[] Third - \$ 920.00

[] Fourth - \$ 1440.00

Month After Time Period Set

[] Please charge my Deposit Account No. 02-4035 in the amount of \$

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 227.00.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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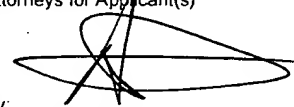
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: SHAI=2

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Filed: January 14, 2000)	October 3, 2001
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For: ANTIPATHOGENIC SYNTHETIC)	
PEPTIDES AND COMPOSITIONS)	
COMPRISING THEM)	

AMENDMENT

Honorable Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action of May 3, 2001,
petition and payment for a two month extension of time being
attached hereto, please amend as follows:

IN THE CLAIMS

Please cancel claims 18-19 and 22-26 without prejudice
and add new claims 27-36 in place thereof as follows:

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DS > --27(New). A composition comprising an acceptable
carrier and a peptide according to claim 1 in an amount effective
to inhibit bacterial growth.

--28(New). A composition comprising an acceptable
carrier and a peptide according to claim 1 in an amount effective
to inhibit growth of fungi.